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April 24, 2013

By Ordinary Mail and e-mail to being1@gmail.com

Ron Feldman

51 7th Avenue South

New York, NY 10014

Re: Jose Saldivar vs. Café 15, Inc. d/b/a Le Petite Bistro, et al.

Index No. 12-cv-1415

Dear Mr. Feldman:

Enclosed please find a copy of Order of Dismissal for Lack of Subject Matter Jurisdiction in connection with the above mentioned matter.

Thank you for your time and attention.

Very truly yours,
LAW OFFICES OF WILLIAM CAFARO

A handwritten signature in black ink that reads 'Odaris Palacios'. The signature is written in a cursive style and is positioned above a horizontal line.

Odaris Palacios

Legal Assistant

/od

Enclosures

Odaris Palacios

From: ecf_bounces@nyed.uscourts.gov
Sent: Tuesday, April 23, 2013 6:41 PM
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 1:12-cv-01415-DLI-RML Saldivar v. Cafe 15, Inc. et al Order

This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 4/23/2013 at 6:41 PM EDT and filed on 4/23/2013

Case Name: Saldivar v. Cafe 15, Inc. et al

Case Number: 1:12-cv-01415-DLI-RML

Filer:

Document Number: No document attached

Docket Text:

ORDER OF DISMISSAL FOR LACK OF SUBJECT MATTER JURISDICTION re [29] Letter filed by Adolfo Solis, Jose Saldivar -- Plaintiffs agree with defendants that this Court lacks subject matter jurisdiction over plaintiffs' claims because the Fair Labor Standards Act ("FLSA") does not apply to this case. Because the Court lacks subject matter jurisdiction, it lacks the authority to act on any of the parties' requests. Accordingly, the case is **DISMISSED** without prejudice to plaintiffs ability to litigate any viable claims in the appropriate forum. Plaintiff is directed to serve a copy of this Electronic Order on pro se defendant Ron Feldman within five days of the date of this Order and immediately thereafter file proof of such service with the Court via ECF. The Clerk of the Court is directed to close this case. **SO ORDERED.** Ordered by Judge Dora Lizette Irizarry on 4/23/2013. (Irizarry, Dora)

1:12-cv-01415-DLI-RML Notice has been electronically mailed to:

Marc L. Silverman msilverman@schiffhardin.com, sodavis@schiffhardin.com

Declan P. Redfern dredfern@515law.com, assistant@515law.com

William Cafaro bcafaro@cafaroeseq.com, nduran@cafaroeseq.com, opalacios@cafaroeseq.com

1:12-cv-01415-DLI-RML Notice will not be electronically mailed to:

Ron Feldman
51 7th Avenue. So.
New York, NY 10014

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X Index No. 12-cv-1415 (DLI)

JOSE SALDIVAR

Plaintiff,

-against-

AFFIDAVIT OF SERVICE

CAFÉ 15, INC., ET AL

Defendants

-----X
STATE OF NEW YORK
COUNTY OF NEW YORK

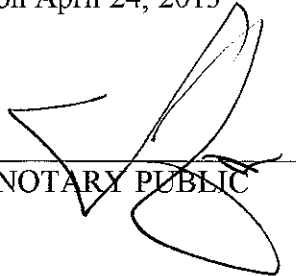
Odaris Palacios, being duly sworn, says:

I am not a party to the action; I reside in Queens, NY and I am over 18 years of age.

On April 24, 2013, I served the within **Order of Dismissal for Lack of Subject Matter Jurisdiction**, via email and by depositing true copies thereof, enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the United States Postal Service within New York State, addressed to the following at the last known addresses set forth below:

being1@gmail.com
Ron Feldman
51 7th Avenue South
New York, NY 10014

Sworn to before me
on April 24, 2013


NOTARY PUBLIC


Odaris Palacios

WILLIAM CAFARO
Notary Public, State of New York
No. 31-4869936
Qualified in New York County
Commission Expires Jan. 22, 2016